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SUBJECT: CHAIRMEN OF 1267 (AL-QAIDA/TALIBAN) SANCTIONS
COMMITTEE, 1373 COUNTER-TERRORISM COMMITTEE, AND 1540
COMMITTEE (NONPROLIFERATION) BRIEF SECURITY COUNCIL

REF: SECSTATE 117021

11. (U) SUMMARY: The Chairs of the 1267 (Al-Qaida/Taliban) Sanctions Committee, the 1373 Counter-Terrorism Committee (CTC), and the 1540 (Nonproliferation) Committee jointly briefed the UN Security Council on November 13. The Chair of the CTC issued a joint statement emphasizing the need for coordination between the Committees, and the Chairs described the work of their Committees over the last six months and future plans. Following the briefing all Council members, as well as Switzerland, Sweden, Cuba, Liechtenstein, New Zealand, Brazil, Spain, Venezuela, the Netherlands, Australia, Iran, Syria, India and Colombia, made statements. Ambassador Wolff delivered the U.S. statement drawing on points included in reftel. Cuba complained, as it has regularly, that the United States is harboring a known terrorist, Luis Posada Carriles. Cuba also complained that the United States did very little to hold Santiago Alvarez accountable for his criminal acts in support of Posada. Venezuela and Colombia gave contentious interventions regarding counter-terrorism measures in Colombia and the recent Defense Cooperation Agreement (DCA) concluded between Colombia and the United States. USUN POL MinCouns responded to Venezuelan accusations against the U.S. regarding the DCA drawn from reftel, as summarized below in paragraph 6. END SUMMARY.

1267 Committee

12. (U) Austrian Permrep and Chairman of the 1267 Committee, Thomas Mayr-Harting, noted that the review process is a key focus of the Committee. Mayr-Harting stated that so far the Committee has initiated the UNSCR 1822 review of 422 names and indicated that the last 66 names will be sent to reviewing States shortly. In addition, the Committee has discussed 71 entities, of which 50 were confirmed to remain on the list, 8 were de-listed, and review is still pending on 13 because of the need for additional information. With regard to narrative summaries of reasons for listing, the Committee has approved 164 for publication and 294 additional drafts are being reviewed. Mayr-Harting also noted that there are currently 30 court cases pending around the world related to resolution 1267. The Monitoring Team's 10th report was submitted to the Committee at the end of July and the Committee will submit its recommendations in due time. Delegations generally lauded the usefulness of the instrument, but indicated concerns regarding the credibility of the 1267 Consolidated List. Several States, including Spain, Switzerland, Liechtenstein, and the Netherlands, asked the Council to increase transparency and ensure that the listing and de-listing processes were sufficiently fair and clear. These States noted with concern the increasing amount of domestic 1267-related litigation that has arisen in the last few years, particularly in European Courts. In

addition, Iran and Syria indicated apprehension regarding the perceived selectivity of the Committee in focusing on certain regions while ignoring others. Most States urged the Council to use the 1267 renewal resolution as an opportunity to address some fairness concerns in the listing and delisting processes as a means of ensuring that the regime remains an effective counterterrorism tool.

1373 Committee

13. (U) Ranko Vilovic, Croatian Permrep and Chairman of the 1373 Committee, reported that the Committee has finalized the analysis and adoption of the preliminary implementation assessments (PIAs) of all UN Member States except one, whose PIA is expected to be adopted soon. Emphasizing that the stocktaking process is carried out in stages, Vilovic noted that the Committee has already finalized 46 files (with completion in 2010) and that CTED's annual survey of implementation is before the Committee and should be submitted to the Council by the end of 2009. Vilovic noted the increase in focused, on-site visits by CTED, as well as enhanced cooperation with the Counter-Terrorism Action Group (CTAG), continued support for the Counter-Terrorism Implementation Task Force (CTITF) and engagement with the other Committees. Speakers generally commended the work of the CTC and CTED, including their increased cooperation with CTAG and the CTITF, and praised the Committee's progress on PIAs. Several States, including Sweden (on behalf of the European Union), Mexico, and Costa Rica, mentioned the need to keep in mind human rights norms during the Committee's work, though Vietnam emphasized that these concerns should be considered in the context of counterterrorism.

1540 Committee

14. (U) Costa Rican Permrep and Chairman of the Committee established pursuant to resolution 1540, Jorge Urbina, recalled the three-day open meeting and interactive sessions held by the Committee from 30 September - 2 October 2009 as part of its Comprehensive Review. In the last six months 1540 Committee representatives have participated in 20 workshops and meetings outside UN Headquarters. In addition, the Committee has continued its engagement in: 1540-specific regional workshops organized by the UN Office for Disarmament Affairs (UNODA), regional workshops organized in collaboration with other UN bodies, regional workshops organized by Member States in cooperation with the 1540 Committee, meetings organized by other organizations or by Member States, and country-specific activities. Urbina also noted that in response to resolution 1810 the Committee is intensifying efforts to develop its clearing-house function for channeling assistance to Member States, as well as continuing cooperation with the other Security Council Committees and related organizations. States expressed support for the Committee's Comprehensive Review and generally encouraged continued open debate and coordination with the other Committees. The French, UK and the Russian Federation also called for an increased focus on assisting States, when necessary, in implementing their obligations under resolution 1540, and for increased transparency and efficiency in providing such assistance.

Cuba & Venezuela Interventions

15. (U) Cuba noted that while it has submitted detailed information to the committee on terrorist acts against Cuba and the protection of certain culprits by the United States, it has not resulted in action. In particular, Cuba pointed out the cases of Santiago Alvarez and Luis Posada Carriles.

After expounding on Posada's history and present circumstances, Cuba demanded that the United States extradite Posada or prosecute him for terrorist acts, not just immigration offences. Venezuela took up the Cuban line on Posada, again emphasizing the American role in his history and noting the lack of action on a Venezuelan extradition request. Venezuela claimed that U.S. actions amounted to a violation of resolution 1373. With regard to Alvarez, Cuba alleged that he had been caught with grenades, C-4 explosives and detonation cords to be used in terrorist acts against Cuba, but that the United States had decided not to press terrorism charges and Alvarez served only 11 months of a 4-year prison term.

Colombia & Venezuela Exchanges on DCA; U.S. Response

16. (U) Columbia emphasized the value of international support - especially U.S. support -- in Columbia's efforts to fight domestic terrorism, particularly the FARC and ELN. Colombia linked this to the DCA and challenged Venezuela's mischaracterizations of the parameters of the DCA. Further, Colombia noted Venezuela's unwillingness to cooperate with Colombia on combating criminal groups, citing several examples. Venezuela made a further statement in which it emphasized the effect Colombia's internal conflict has on neighboring countries and called on Colombia to end its expansionist policies, referencing in particular the DCA with the U.S. In response, the U.S. representative delivered the DCA points in reftel as well as late-breaking WHA points welcoming Venezuela's interest in international cooperation against terrorism, noting that a desire to ensure high-quality dialogue with Venezuela on such areas of mutual interest was one of the reasons the United States re-established relations at the ambassadorial level in July, and stating the hope that Venezuela's interest in the topic will encourage meaningful dialogue, though Venezuela has not yet taken advantage of the opportunity.

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